



[4910-13-P]

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. FAA-2012-1067; Directorate Identifier 2011-NM-231-AD]

RIN 2120-AA64

Airworthiness Directives; DASSAULT AVIATION Airplanes

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of proposed rulemaking (NPRM).

SUMMARY: We propose to adopt a new airworthiness directive (AD) for certain

DASSAULT AVIATION Model FALCON 2000, FALCON 2000EX,

MYSTERE-FALCON 900 and FALCON 900EX airplanes; and all Model

MYSTERE-FALCON 50 airplanes. This proposed AD was prompted by reports that

collapse of the main landing gear (MLG) could cause wing tank structure failure, which

could result in fuel spillage and consequent fire hazard. This proposed AD would require

modification of the wing fuel tanks in the area of the wheel well. We are proposing this

AD to prevent fuel spillage in the event of a MLG collapse, and consequent fire hazard.

DATES: We must receive comments on this proposed AD by [INSERT DATE 45

DAYS AFTER DATE OF PUBLICATION IN THE FEDERAL REGISTER].

ADDRESSES: You may send comments by any of the following methods:

- Federal eRulemaking Portal: Go to <http://www.regulations.gov>. Follow the instructions for submitting comments.

- Fax: (202) 493-2251.

- Mail: U.S. Department of Transportation, Docket Operations, M-30, West Building Ground Floor, Room W12-140, 1200 New Jersey Avenue SE., Washington, DC 20590.

- Hand Delivery: U.S. Department of Transportation, Docket Operations, M-30, West Building Ground Floor, Room W12-140, 1200 New Jersey Avenue SE., Washington, DC, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

For service information identified in this proposed AD, contact Dassault Falcon Jet, P.O. Box 2000, South Hackensack, New Jersey 07606; telephone 201-440-6700; Internet <http://www.dassaultfalcon.com>. You may review copies of the referenced service information at the FAA, Transport Airplane Directorate, 1601 Lind Avenue SW., Renton, WA. For information on the availability of this material at the FAA, call 425-227-1221.

Examining the AD Docket

You may examine the AD docket on the Internet at <http://www.regulations.gov>; or in person at the Docket Operations office between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The AD docket contains this proposed AD, the regulatory evaluation, any comments received, and other information. The street address for the Docket Operations office (telephone (800) 647-5527) is in the ADDRESSES section. Comments will be available in the AD docket shortly after receipt.

FOR FURTHER INFORMATION CONTACT: Tom Rodriguez, Aerospace Engineer,
International Branch, ANM-116, Transport Airplane Directorate, FAA, 1601 Lind
Avenue SW., Renton, WA 98057-3356; telephone (425) 227-1137; fax (425) 227-1149.

SUPPLEMENTARY INFORMATION:

Comments Invited

We invite you to send any written relevant data, views, or arguments about this proposed AD. Send your comments to an address listed under the ADDRESSES section. Include “Docket No. FAA-2012-1067; Directorate Identifier 2011-NM-231-AD” at the beginning of your comments. We specifically invite comments on the overall regulatory, economic, environmental, and energy aspects of this proposed AD. We will consider all comments received by the closing date and may amend this proposed AD based on those comments.

We will post all comments we receive, without change, to <http://www.regulations.gov>, including any personal information you provide. We will also post a report summarizing each substantive verbal contact we receive about this proposed AD.

Discussion

The European Aviation Safety Agency (EASA), which is the Technical Agent for the Member States of the European Community, has issued EASA Airworthiness Directive 2011-0193, dated October 5, 2011 (referred to after this as “the MCAI”), to correct an unsafe condition for the specified products. The MCAI states:

In service experience has shown that, in case of main
landing gear collapse due to overloads during take off or

landing (e.g., during high-speed runway excursions), the wing tank structure can fail, leading to fuel spillage. * * *

This condition, if not corrected, could result, in case of main landing gear collapse, in a fuel spillage which may constitute a fire hazard.

To address this unsafe condition, Dassault Aviation have developed a structural modification of the wing fuel tanks in the area of the wheel well which introduces a dry bay by adding a sealed boundary in front of the rear spar between ribs 4 and 5.

For the reasons described above, this [EASA] AD requires accomplishment of the above-mentioned modification for the Right Hand (RH) and Left Hand (LH) wing fuel tanks.

You may obtain further information by examining the MCAI in the AD docket.

Relevant Service Information

Dassault Aviation has issued the following service information. The actions described in this service information are intended to correct the unsafe condition identified in the MCAI.

- Dassault Mandatory Service Bulletin F50-496, Revision 2, dated March 10, 2010 (for Model MYSTERE-FALCON 50 airplanes), which includes the following appendices:

- Appendix 1, Revision 2, dated February 15, 2010.
- Appendix 2, Revision 3, dated February 15, 2009.
- Appendix 3, Revision 2, dated October 21, 2009.
- Appendix 4, Revision 1, dated October 20, 2009.
- Appendix 5, Revision 3, dated March 10, 2010.

- Dassault Mandatory Service Bulletin F900EX-329, Revision 3, dated

March 10, 2010 (for Model FALCON 900EX airplanes), which includes the following appendices:

- Appendix 1, Revision 2, dated February 15, 2010.
 - Appendix 2, Revision 3, dated February 15, 2009.
 - Appendix 3, Revision 2, dated October 21, 2009.
 - Appendix 4, Revision 1, dated October 20, 2009.
 - Appendix 5, Revision 3, dated March 10, 2010.
- Dassault Mandatory Service Bulletin F900-388, Revision 2, dated March 10,

2010 (for Model MYSTERE-FALCON 900 airplanes), which includes the following appendices:

- Appendix 1, Revision 2, dated February 15, 2010.
 - Appendix 2, Revision 3, dated February 15, 2009.
 - Appendix 3, Revision 2, dated October 21, 2009.
 - Appendix 4, Revision 1, dated October 20, 2009.
 - Appendix 5, Revision 3, dated March 10, 2010.
- Dassault Mandatory Service Bulletin F2000-358, Revision 3, dated March 10,

2010 (for Model FALCON 2000 airplanes), which includes the following appendices:

- Appendix 1, Revision 2, dated February 15, 2010.
- Appendix 2, Revision 3, dated February 15, 2009.
- Appendix 3, Revision 2, dated October 21, 2009.
- Appendix 4, Revision 1, dated October 20, 2009.
- Appendix 5, Revision 3, dated March 10, 2010.

- Dassault Mandatory Service Bulletin F2000EX-171, Revision 3, dated March 10, 2010 (for Model FALCON 2000EX airplanes), which includes the following appendices:

- Appendix 1, Revision 2, dated February 15, 2010.
- Appendix 2, Revision 3, dated February 15, 2009.
- Appendix 3, Revision 2, dated October 21, 2009.
- Appendix 4, Revision 1, dated October 20, 2009.
- Appendix 5, Revision 3, dated March 10, 2010.

FAA's Determination and Requirements of This Proposed AD

This product has been approved by the aviation authority of another country, and is approved for operation in the United States. Pursuant to our bilateral agreement with the State of Design Authority, we have been notified of the unsafe condition described in the MCAI and service information referenced above. We are proposing this AD because we evaluated all pertinent information and determined an unsafe condition exists and is likely to exist or develop on other products of the same type design.

Costs of Compliance

Based on the service information, we estimate that this proposed AD would affect about 753 products of U.S. registry. We also estimate that it would take about 640 work-hours per product to comply with the basic requirements of this proposed AD. The average labor rate is \$85 per work-hour. Required parts would cost about \$18,500 per product. Where the service information lists required parts costs that are covered under warranty, we have assumed that there will be no charge for these parts. As we do not

control warranty coverage for affected parties, some parties may incur costs higher than estimated here. Based on these figures, we estimate the cost of the proposed AD on U.S. operators to be \$54,893,700, or \$72,900 per product.

Authority for This Rulemaking

Title 49 of the United States Code specifies the FAA’s authority to issue rules on aviation safety. Subtitle I, section 106, describes the authority of the FAA Administrator. “Subtitle VII: Aviation Programs,” describes in more detail the scope of the Agency’s authority.

We are issuing this rulemaking under the authority described in “Subtitle VII, Part A, Subpart III, Section 44701: General requirements.” Under that section, Congress charges the FAA with promoting safe flight of civil aircraft in air commerce by prescribing regulations for practices, methods, and procedures the Administrator finds necessary for safety in air commerce. This regulation is within the scope of that authority because it addresses an unsafe condition that is likely to exist or develop on products identified in this rulemaking action.

Regulatory Findings

We determined that this proposed AD would not have federalism implications under Executive Order 13132. This proposed AD would not have a substantial direct effect on the States, on the relationship between the national Government and the States, or on the distribution of power and responsibilities among the various levels of government.

For the reasons discussed above, I certify that this proposed regulation:

1. Is not a “significant regulatory action” under Executive Order 12866;
2. Is not a “significant rule” under the DOT Regulatory Policies and Procedures (44 FR 11034, February 26, 1979);
3. Will not affect intrastate aviation in Alaska; and
4. Will not have a significant economic impact, positive or negative, on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

We prepared a regulatory evaluation of the estimated costs to comply with this proposed AD and placed it in the AD docket.

List of Subjects in 14 CFR Part 39

Air transportation, Aircraft, Aviation safety, Incorporation by reference, Safety.

The Proposed Amendment

Accordingly, under the authority delegated to me by the Administrator, the FAA proposes to amend 14 CFR part 39 as follows:

PART 39 - AIRWORTHINESS DIRECTIVES

1. The authority citation for part 39 continues to read as follows:

Authority: 49 U.S.C. 106(g), 40113, 44701.

§ 39.13 [Amended]

2. The FAA amends § 39.13 by adding the following new AD:

DASSAULT AVIATION: Docket No. FAA-2012-1067; Directorate Identifier 2011-NM-231-AD.

(a) Comments Due Date

We must receive comments by [INSERT DATE 45 DAYS AFTER DATE OF PUBLICATION IN THE FEDERAL REGISTER].

(b) Affected ADs

None.

(c) Applicability

This AD applies to the airplanes specified in paragraphs (c)(1), (c)(2), and (c)(3) of this AD, certificated in any category.

(1) Dassault Aviation Model FALCON 2000 and FALCON 2000EX airplanes, all serial numbers, except those on which modification M3072 has been installed.

(2) DASSAULT AVIATION Model MYSTERE-FALCON 50 airplanes, all serial numbers.

(3) DASSAULT AVIATION Model MYSTERE-FALCON 900 and FALCON 900EX airplanes, all serial numbers, except those on which modification M5413 has been installed.

(d) Subject

Air Transport Association (ATA) of America Code 57, Wings.

(e) Reason

This AD was prompted by reports that collapse of the main landing gear (MLG) could cause wing tank structure failure, which could result in fuel spillage and a consequent fire hazard. We are issuing this AD to prevent fuel spillage in the event of a MLG collapse, and consequent fire hazard.

(f) Compliance

You are responsible for having the actions required by this AD performed within the compliance times specified, unless the actions have already been done.

(g) Modification

Within 150 months after the effective date of this AD, do the modification of the right-hand and left-hand wing fuel tanks, in accordance with the Accomplishment Instructions of the applicable service information specified in paragraph (g)(1), (g)(2), (g)(3), (g)(4), or (g)(5) of this AD, as applicable. The service information specified in paragraphs (g)(1) through (g)(5) of this AD contain a paragraph which states that each person applying the service bulletins must have successfully completed a training program. This training is recommended but is not required by this AD.

(1) For Model MYSTERE-FALCON 50 airplanes: Dassault Mandatory Service Bulletin F50-496, Revision 2, dated March 10, 2010, which includes the following appendices.

- (i) Appendix 1, Revision 2, dated February 15, 2010.
- (ii) Appendix 2, Revision 3, dated February 15, 2009.
- (iii) Appendix 3, Revision 2, dated October 21, 2009.
- (iv) Appendix 4, Revision 1, dated October 20, 2009.
- (v) Appendix 5, Revision 3, dated March 10, 2010.

(2) For Model FALCON 900EX airplanes: Dassault Mandatory Service Bulletin F900EX-329, Revision 3, dated March 10, 2010, which includes the following appendices.

(i) Appendix 1, Revision 2, dated February 15, 2010.

(ii) Appendix 2, Revision 3, dated February 15, 2009.

(iii) Appendix 3, Revision 2, dated October 21, 2009.

(iv) Appendix 4, Revision 1, dated October 20, 2009.

(v) Appendix 5, Revision 3, dated March 10, 2010.

(3) For Model MYSTERE-FALCON 900 airplanes: Dassault Mandatory Service Bulletin F900-388, Revision 2, dated March 10, 2010, which includes the following appendices.

(i) Appendix 1, Revision 2, dated February 15, 2010.

(ii) Appendix 2, Revision 3, dated February 15, 2009.

(iii) Appendix 3, Revision 2, dated October 21, 2009.

(iv) Appendix 4, Revision 1, dated October 20, 2009.

(v) Appendix 5, Revision 3, dated March 10, 2010.

(4) For Model FALCON 2000 airplanes: Dassault Mandatory Service Bulletin F2000-358, Revision 3, dated March 10, 2010, which includes the following appendices.

(i) Appendix 1, Revision 2, dated February 15, 2010.

(ii) Appendix 2, Revision 3, dated February 15, 2009.

(iii) Appendix 3, Revision 2, dated October 21, 2009.

(iv) Appendix 4, Revision 1, dated October 20, 2009.

(v) Appendix 5, Revision 3, dated March 10, 2010.

(5) For Model FALCON 2000EX airplanes: Dassault Mandatory Service Bulletin F2000EX-171, Revision 3, dated March 10, 2010, which includes the following appendices.

- (i) Appendix 1, Revision 2, dated February 15, 2010.
- (ii) Appendix 2, Revision 3, dated February 15, 2009.
- (iii) Appendix 3, Revision 2, dated October 21, 2009.
- (iv) Appendix 4, Revision 1, dated October 20, 2009.
- (v) Appendix 5, Revision 3, dated March 10, 2010.

(h) Credit for Previous Actions

This paragraph provides credit for the modifications required by paragraph (g) of this AD, if those actions were performed before the effective date of this AD using the service information (which is not incorporated by reference in this AD) specified in paragraphs (h)(1) through (h)(5) of this AD, as applicable.

(1) For Model MYSTERE-FALCON 50 airplanes:

(i) Dassault Mandatory Service Bulletin F50-496, dated October 22, 2009, which includes the following appendices.

- (A) Appendix 1, Revision 1, dated October 21, 2009.
- (B) Appendix 2, Revision 2, dated October 21, 2009.
- (C) Appendix 3, Revision 2, dated October 21, 2009.
- (D) Appendix 4, Revision 1, dated October 20, 2009.
- (E) Appendix 5, Revision 2, dated October 22, 2009.

(ii) Dassault Mandatory Service Bulletin F50-496, Revision 1, dated February 15, 2010, which includes the following appendices.

(A) Appendix 1, Revision 2, dated February 15, 2010.

(B) Appendix 2, Revision 3, dated February 15, 2009.

(C) Appendix 3, Revision 2, dated October 21, 2009.

(D) Appendix 4, Revision 1, dated October 20, 2009.

(E) Appendix 5, Revision 3, dated March 10, 2010.

(2) For Model FALCON 900EX airplanes:

(iii) Dassault Mandatory Service Bulletin F900EX-329, dated September 25, 2009, which includes the following appendices.

(A) Appendix 1, dated July 6, 2009.

(B) Appendix 2, dated July 6, 2009.

(C) Appendix 3, Revision 1, dated September 25, 2009.

(D) Appendix 4, dated July 6, 2009.

(E) Appendix 5, Revision 1, dated September 24, 2009.

(iv) Dassault Mandatory Service Bulletin F900EX-329, Revision 1, dated October 22, 2009, which includes the following appendices.

(A) Appendix 1, Revision 1, dated October 21, 2009.

(B) Appendix 2, Revision 2, dated October 21, 2009.

(C) Appendix 3, Revision 2, dated October 21, 2009.

(D) Appendix 4, Revision 1, dated October 20, 2009.

(E) Appendix 5, Revision 2, dated October 22, 2009.

- (v) Dassault Mandatory Service Bulletin F900EX-329, Revision 2, dated February 15, 2010, which includes the following appendices.
- (A) Appendix 1, Revision 2, dated February 15, 2010.
 - (B) Appendix 2, Revision 3, dated February 15, 2009.
 - (C) Appendix 3, Revision 2, dated October 21, 2009.
 - (D) Appendix 4, Revision 1, dated October 20, 2009.
 - (E) Appendix 5, Revision 3, dated March 10, 2010.
- (3) For Model MYSTERE-FALCON 900 airplanes:
- (i) Dassault Mandatory Service Bulletin F900-388, dated October 22, 2009, which includes the following appendices.
 - (A) Appendix 1, Revision 1, dated October 21, 2009.
 - (B) Appendix 2, Revision 2, dated October 21, 2009.
 - (C) Appendix 3, Revision 2, dated October 21, 2009.
 - (D) Appendix 4, Revision 1, dated October 20, 2009.
 - (E) Appendix 5, Revision 2, dated October 22, 2009.
 - (ii) Dassault Mandatory Service Bulletin F900-388, Revision 1, dated February 15, 2010, which includes the following appendices.
 - (A) Appendix 1, Revision 2, dated February 15, 2010.
 - (B) Appendix 2, Revision 3, dated February 15, 2009.
 - (C) Appendix 3, Revision 2, dated October 21, 2009.
 - (D) Appendix 4, Revision 1, dated October 20, 2009.
 - (E) Appendix 5, Revision 3, dated March 10, 2010.

(4) For Model FALCON 2000 airplanes:

(i) Dassault Mandatory Service Bulletin F2000-358, dated September 25, 2009,

which includes the following appendices.

(A) Appendix 1, dated July 6, 2009.

(B) Appendix 2, dated July 6, 2009.

(C) Appendix 3, Revision 1, dated September 25, 2009.

(D) Appendix 4, dated July 6, 2009.

(E) Appendix 5, Revision 1, dated September 24, 2009.

(ii) Dassault Mandatory Service Bulletin F2000-358, Revision 1, dated

October 30, 2009, which includes the following appendices.

(A) Appendix 1, Revision 1, dated October 21, 2009.

(B) Appendix 2, Revision 2, dated October 21, 2009.

(C) Appendix 3, Revision 2, dated October 21, 2009.

(D) Appendix 4, Revision 1, dated October 20, 2009.

(E) Appendix 5, Revision 2, dated October 22, 2009.

(iii) Dassault Mandatory Service Bulletin F2000-358, Revision 2, dated

February 15, 2010, which includes the following appendices.

(A) Appendix 1, Revision 2, dated February 15, 2010.

(B) Appendix 2, Revision 3, dated February 15, 2009.

(C) Appendix 3, Revision 2, dated October 21, 2009.

(D) Appendix 4, Revision 1, dated October 20, 2009.

(E) Appendix 5, Revision 3, dated March 10, 2010.

(5) For Model FALCON 2000EX airplanes:

(i) Dassault Mandatory Service Bulletin F2000EX-171, dated July 6, 2009, which includes the following appendices.

(A) Appendix 1, dated July 6, 2009.

(B) Appendix 2, dated July 6, 2009.

(C) Appendix 3, dated July 6, 2009.

(D) Appendix 4, dated July 6, 2009.

(E) Appendix 5, dated July 6, 2009.

(ii) Dassault Mandatory Service Bulletin F2000EX-171, Revision 1, dated October 22, 2009, which includes the following appendices.

(A) Appendix 1, Revision 1, dated October 21, 2009.

(B) Appendix 2, Revision 2, dated October 21, 2009.

(C) Appendix 3, Revision 2, dated October 21, 2009.

(D) Appendix 4, Revision 1, dated October 20, 2009.

(E) Appendix 5, Revision 2, dated October 22, 2009.

(iii) Dassault Mandatory Service Bulletin F2000EX-171, Revision 2, dated February 15, 2010, which includes the following appendices.

(A) Appendix 1, Revision 2, dated February 15, 2010.

(B) Appendix 2, Revision 3, dated February 15, 2009.

(C) Appendix 3, Revision 2, dated October 21, 2009.

(D) Appendix 4, Revision 1, dated October 20, 2009.

(E) Appendix 5, Revision 3, dated March 10, 2010.

(i) Other FAA AD Provisions

The following provisions also apply to this AD:

(1) Alternative Methods of Compliance (AMOCs): The Manager, International Branch, ANM-116, FAA, has the authority to approve AMOCs for this AD, if requested using the procedures found in 14 CFR 39.19. In accordance with 14 CFR 39.19, send your request to your principal inspector or local Flight Standards District Office, as appropriate. If sending information directly to the International Branch, send it to ATTN: Tom Rodriguez, Aerospace Engineer, International Branch, ANM-116, Transport Airplane Directorate, FAA, 1601 Lind Avenue SW., Renton, WA 98057-3356; telephone (425) 227-1137; fax (425) 227-1149. Information may be emailed to:

9-ANM-116-AMOC-REQUESTS@faa.gov. Before using any approved AMOC, notify your appropriate principal inspector, or lacking a principal inspector, the manager of the local flight standards district office/certificate holding district office. The AMOC approval letter must specifically reference this AD.

(2) Airworthy Product: For any requirement in this AD to obtain corrective actions from a manufacturer or other source, use these actions if they are FAA-approved. Corrective actions are considered FAA-approved if they are approved by the State of Design Authority (or their delegated agent). You are required to assure the product is airworthy before it is returned to service.

(j) Related Information

Refer to MCAI European Aviation Safety Agency Airworthiness Directive 2011-0193, dated October 5, 2011, and the service information specified in paragraphs (g)(1) through (g)(5) of this AD, for related information.

Issued in Renton, Washington, on September 26, 2012.

Ali Bahrami,
Manager,
Transport Airplane Directorate,
Aircraft Certification Service.

[FR Doc. 2012-24808 Filed 10/09/2012 at 8:45 am; Publication Date: 10/10/2012]